

**RIVERTON CITY PLANNING COMMISSION
MEETING MINUTES**

May 23, 2019

The Riverton City Planning Commission convened at 6:30 p.m. in the Riverton City Municipal Building, 12830 South 1700 West, Riverton, Utah.

Planning Commission Members:

**Brian Russell, Presiding
Garry Cannon
Kent Hartley
Ed James
Troy Rushton**

Staff:

**Tim Prestwich, City Planner
Craig Bott, Deputy City Attorney**

Chair Russell called the meeting to order. Commissioner Hartley led the Pledge of Allegiance.

• **PUBLIC HEARINGS**

- (1) CONDITIONAL USE HOME OCCUPATION, ELLIOT PERSON IS REQUESTING A CONDITIONAL USE PERMIT FOR A HOME-BASED BUSINESS TO BE LOCATED AT 5242 WEST ELK HORN PEAK DRIVE. THE PROPOSED BUSINESS DESCRIPTION IS "PROCESS/DELIVER POTATOES".**

City Planner, Tim Prestwich, explained that the business requesting the permit is known as "The Fry Guy." The property is located in the foothills on a .21-acre lot in the R-4 zone near the Herriman border. The applicant described his business as cutting and processing of potatoes. He cuts, bags, and sells them to restaurants who cook them. The potatoes are raw and nothing is cooked on the premises. The business will be conducted in the basement in a converted kitchen. If approved by the Planning Commission, staff will ensure that the applicant follows through with inspections from the Health Department or the State Department of Agriculture. The Building Department will ensure that backflow preventers are installed.

Mr. Prestwich explained that there will likely be one delivery per week to the home. No customers or employees will come to the residence. The applicant plans to utilize his family to do the work. The use will be a minimal intrusion on the neighborhood but because it involves food preparation, it must be reviewed by the Planning Commission. Staff recommended approval with the conditions listed in the report.

Chair Russell opened the public hearing.

The applicant, Elliott Person, was present. A question was raised regarding the volume of potatoes processed on the site. If the quantity is large, Mr. Person was asked how he plans to discard of the peels. Mr. Person stated he had not yet started the business but intends to simply deliver to a few restaurants in Utah and Salt Lake Counties. He expected to process 10 to 20 bags of potatoes per week in the beginning. If the demand grows he would likely move the business to a larger facility.

Commissioner Hartley asked how the waste from the potatoes will be disposed of. Mr. Person stated that he plans to dispose of it in his residential garbage can. Nothing would go down his garbage disposal.

Commissioner Cannon asked Mr. Person what makes his potatoes unique. He responded that there is a demand for fresh cut potatoes that go from freshly cut to serve at the restaurant within five days.

There were no further public comments. The public hearing was closed.

Commissioner Hartley moved to APPROVE Application PLZ #19-2013, The Fry Guy to be located at 5242 West Elk Horn Peak Drive subject to the following conditions:

- 1. The site, structures and use shall remain in compliance with any and all applicable Riverton City standards and ordinances, specifically the City Home Occupation Ordinance (18.190) and applicable Building and Fire Codes.**
- 2. Applicant must obtain and maintain a Riverton City Business license.**
- 3. Home Occupation must operate within the Fixed Standards, and Qualifications and Conditions as outlined in the Home Occupation Ordinance and this approval.**
- 4. Home occupation must follow State, and County rules and regulations for food preparation.**
- 5. Applicant will obtain approvals from all applicable outside agencies.**
- 6. Home occupation is for raw food processing only, not for cooked, baked or fried product.**

Commissioner James seconded the motion. The motion passed with unanimous consent of the Commission.

(2) ZONING ORDINANCE TEXT AMENDMENT, RIVERTON CITY IS PROPOSING AMENDMENTS TO SECTION 18.225 OF THE LAND USE CODE AS IT RELATES TO ACCESSORY STRUCTURES.

Mr. Prestwich presented the staff report and stated that the request is a follow up to a matter that was addressed at a previous meeting. The request was prompted by residents who inquired about temporary carports. After further research, staff realized there is ambiguity in the current language. As a result, adjustments were proposed clarify the current ordinance. Mr. Prestwich presented the proposed amendment verbiage to specify that temporary carports and other such temporary vehicle covers may only be used for parking and/or storage of vehicles and/or trailers. They must also be less than 200 square feet, have a maximum of two enclosed sides and may not be placed on a permanent foundation. Instead of referring to these structures as temporary carports, the amended language refers to them as temporary vehicle covers. The matter was properly noticed and no comments were received.

Commissioner Rushton asked about the duration of these types of structures and whether they are regulated in terms of how long they remain up on a property. Deputy City Attorney, Craig Bott, explained they did not feel it was necessary to put a time limit on the structures. Commissioner Rushton was concerned about them becoming weathered and asked about enforcement. Mr. Prestwich explained that the design of the structure that makes it temporary and not the use. He noted that if there was a desired time frame, the City Council would have included it in the Code.

Commissioner Rushton liked to avoid regulations where possible. He asked about the 200-foot limit and whether it would limit the structures to vehicles rather than large RVs. Mr. Prestwich confirmed that that is the case and stated 200 feet is the Building Code threshold for requiring a building permit.

The public hearing was opened. No one from the public wished to speak. The public hearing was closed.

Commissioner James moved to APPROVE the Zoning Ordinance Text Amendment to Section 18.225.060, as attached. Commissioner Rushton seconded the motion. The motion passed with unanimous consent of the Commission.

- **DECISION ITEM**

(3) FINAL SITE PLAN, MIKE MENLOVE IS REQUESTING A FINAL SITE PLAN APPROVAL FOR KARNAM OFFICE SPACE PROJECT PHASE 2 located at 1543 West 12600 South.

Mr. Prestwich stated this is a final site plan item, which was why it was not noticed as a public hearing. The request came to the Planning Commission in 2014 and the building was built. The property is located in the Gateway in front of the Main City Park located

near 12600 South. The 0.585-acre parcel is located at 1543 West 12600 South and is in a CG zone. The General Plan to the north is also commercial property.

Mr. Prestwich displayed the landscaping and look of the building. The proposed building will mirror an existing building and match exactly what was proposed in 2014. There is a six or eight-foot masonry wall along the park boundary and has no fencing requirement with the current zoning. Parking already exists to account for the parking near the new building. Currently, both parcels are under common ownership but because they are separate parcels, staff will ensure that agreements are formalized in the event the owners ever want to sell one or both parcels.

Mr. Prestwich displayed the landscaping plans and described the existing building's architecture and the proposed elevations. He remarked that only having two elevation examples of walls and if the Commission would prefer to see the elevation for all four walls, he would make that adjustment going forward. Staff recommended approval.

Building elevation issues were discussed. Chair Russel asked that a modification be made to the front of the building. He felt staff could approve this adjustment and it would not need to come to the Commission. Mr. Prestwich explained that one of the conditions requires the rooftop be screened.

Mike Menlove identified himself as the General Contractor and clarified that the official address is 1515 West 12600 South. He restated that the building will look identical to the one next to it.

Mr. Prestwich commented that he did not know the fence was not installed on the west side and does not know why it was never installed. Chair Russell explained it was likely approved to be completed with Phase 2.

A question was raised as to whether completion of the fence could be included as a condition of approval. Mr. Prestwich did not know if completion of the fence was included in a previous approval but stated that it should be included to ensure completion.

Commissioner Hartley moved to APPROVE Application PLZ #19-8001, Karnam Office Complex Phase 2, located at 1543 West and 12600 South subject to the following conditions:

- 1. Storm Drainage Systems and accommodation comply with Riverton City standards and ordinances, and with the recommendations of the Riverton City Engineering Division including a Long-Term storm water Management Plan (LTSWMP) and Storm Drain Easements where applicable.**
- 2. Address Minor redline comments from Riverton City staff on the plans and/or plat.**

3. **A Land Disturbance Permit must be issued by the City prior to any construction activities including preliminary site clearing and fill.**
4. **The site and structures comply with any and all applicable Riverton City standards and ordinances, including the International Building and Fire Codes.**
5. **The applicant must obtain final approval from utility providers.**
6. **The applicant must obtain approvals and/or permits from other agencies or owners for access onto state roads, and/or storm water discharge into a facility owned or controlled by an entity other than Riverton City.**
7. **All rooftop mechanical equipment shall be screened from view by parapet walls.**
8. **Applicant must record a shared parking and cross access agreement.**
9. **Side Elevations shall be modified to meet current roofing standards.**
10. **A six-foot solid masonry fence be completed on the west side of the property as initially required.**

Commissioner Cannon seconded the motion. The motion passed with the unanimous consent of the Commission.

- **DISCUSSION ITEM**

- (4) **ZONING ORDINANCE TEXT AMENDMENT, A DISCUSSION ABOUT A POTENTIAL ORDINANCE AMENDMENT REGARDING ACCESSORY DWELLING UNITS.**

Mr. Prestwich reported that staff received comments at the previous meeting that have been implemented to the amended language. Staff intended to notice the item as a public hearing item for the next meeting to close out the item or move it to City Council.

Mr. Bott explained that he made the adjustments the previously requested by the Commission. A recommendation was needed from the Commission.

It was reported that a public hearing would be held at the next meeting after which a recommendation would be forwarded onto the City Council.

- **ADJOURNMENT**

The Planning Commission Meeting adjourned at approximately 7:00 p.m.